

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
FILED

MAY 10 2002 **LF**

Michael N. Milby, Clerk

MARK NEWBY, ET AL.,

Plaintiffs,

V.

ENRON CORPORATION, ET AL.,

Defendants.

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CIVIL ACTION NO. H-01-3624  
AND CONSOLIDATED CASES

**MOTION FOR LEAVE TO  
APPEAR AND PRACTICE *PRO HAC VICE***

TO THE HONORABLE MELINDA HARMON, UNITED STATES DISTRICT JUDGE:

Ronald E. Cook, attorney-in-charge for Defendant Alliance Capital Management L.P., and James N. Benedict ("Applicant") respectfully request that James N. Benedict be permitted leave to appear and practice *pro hac vice* in the above-captioned case and, in support of the motion, would respectfully show this Honorable Court the following:

1. Applicant is an attorney at law and was admitted to the Bar of the State of New York.
2. Applicant has also been admitted to the Supreme Court of the United States, United States Court of Appeals for the Second Circuit, Third Circuit, Sixth Circuit, Eighth Circuit, Ninth Circuit, Tenth Circuit, Eleventh Circuit, and the United States District Court for the Eastern District of New York, Southern District of New York, and Northern District of New York.

3. Applicant's current business address is:

Clifford Chance Rogers & Wells, L.L.P.  
200 Park Avenue  
New York, New York 10166

726

4. Applicant represents that he has not been previously convicted of a felony or a misdemeanor involving moral turpitude nor has he been the subject of any disciplinary action by a court of record.

5. Applicant seeks admission *pro hac vice* solely to represent Alliance Capital Management L.P. in this case.

6. Applicant asks to be admitted to appear and practice *pro hac vice* in this proceeding in accordance with Local Rule 83.1K of the Southern District of Texas.

Respectfully submitted,

By: 

Ronald E. Cook  
State Bar No. 04744800  
S.D. ID No. 4143  
1111 Bagby St., Suite 2650  
Houston, Texas 77002  
Telephone: (713) 652-2031  
Facsimile: (713) 652-2029

ATTORNEY-IN-CHARGE FOR DEFENDANT,  
ALLIANCE CAPITAL MANAGEMENT L.P.

OF COUNSEL:

COOK & ROACH, L.L.P.  
ChevronTexaco Heritage Plaza  
1111 Bagby, Suite 2650  
Houston, Texas 77002  
Telephone: (713) 652-2800  
Facsimile: (713) 652-2029

CLIFFORD CHANCE ROGERS & WELLS, L.L.P.

James N. Benedict

Mark A. Kirsch

James F. Moyle

200 Park Avenue

New York, New York 10166

Telephone: (212) 878-8000

Facsimile: (212) 878-8375

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the Motion for Leave to Appear and Practice *Pro Hac Vice* has been served on all counsel pursuant to the Court's April 10, 2002 Order on this 10th day of May, 2002.



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Ronald E. Cook

**In re ENRON CORPORATION SECURITIES  
LITIGATION**

Defendants.

Civil Action No. H-01-3624  
And Consolidated Cases

## NYB 1339672.1

3. I am currently a member in good standing of the Bar of the State of New York.

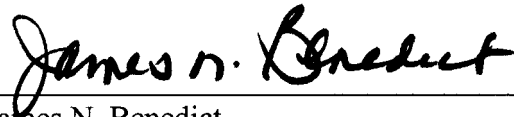
4. My current firm affiliation and business address are:

Clifford Chance Rogers & Wells, L.L.P.  
200 Park Avenue  
New York, New York 10166

5. I have not been previously convicted of a felony or a misdemeanor involving moral turpitude nor have I been the subject of any disciplinary action by a court of record.

6. The reason I seek admission *pro hac vice* in the above-captioned and numbered cause is that I am the primary contact for Alliance Capital Management L.P.

FURTHER AFFIANT SAYETH NOT.



James N. Benedict

SUBSCRIBED AND SWORN TO BEFORE ME on this 9 day of May, 2002.



Notary Public in and for  
The State of New York

Printed Name: Sara Wilhelmsen

My Commission Expires: 1/28/06

**SARA WILHELMSSEN**  
Notary Public, State of New York  
No. 01W16089330  
Qualified in New York County  
Commission Expires Jan. 28, 2006

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CIVIL ACTION NO. H-01-3624  
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**ORDER GRANTING *PRO HAC VICE***

On this \_\_\_\_ day of \_\_\_\_\_, 2002, came on to be heard the Motion for Leave to Appear and Practice *Pro Hac Vice*, and the Court, having read the Motion, is of the opinion that the Motion should be GRANTED; accordingly, it is

ORDERED that James N. Benedict of Clifford Chance Rogers & Wells, L.L.P., 200 Park Avenue, New York, New York 10166 is admitted to appear and practice in the United States District Court for the Southern District of Texas in this matter, *pro hac vice*.

DATED: \_\_\_\_\_

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Melinda Harmon  
United States District Judge